

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FILED  
09 APR 15 AM 11:20  
CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

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UNITED STATES OF AMERICA

Plaintiff

-VS-

JAMES K. STAPLES

Defendant  
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CASE NO. 1:09CR130

ORDER ACCEPTING PLEA  
AGREEMENT AND JUDGMENT AND  
NOTICE OF HEARING

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli regarding the plea hearing and plea agreement of James K. Staples which was referred to the Magistrate Judge with the consent of the parties.

On 19 March 2009, the government filed a one-count information against James K. Staples for aiding and abetting the preparation of false federal tax returns in violation of 28 U.S.C. § 7206(2). On 1 April 2009, a hearing was held in which James K. Staples was arraigned, entered a plea guilty before Magistrate Judge Vecchiarelli, and executed a waiver of indictment. Magistrate Judge Vecchiarelli received James K. Staples's plea of guilty and issued a Report and

Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. James K. Staples is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, James K. Staples is adjudged guilty of Count One in violation of 28 U.S.C. § 7206(2).

Sentencing will be:

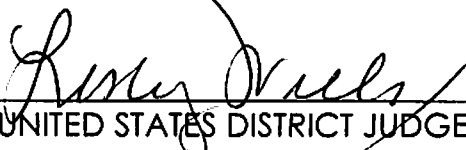
**30 June 2008 at 9:30 a.m.**

**Courtroom 19-A  
19th Floor, United States District Court  
801 West Superior Avenue  
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

4/15/09

  
UNITED STATES DISTRICT JUDGE